

THE HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MARJORIE OGILVIE,

Plaintiff,

v.

THRIFTY PAYLESS INC., a Washington
Pennsylvania Corporation; and
ASSA ABLOY Entrance Systems US Inc., a
Connecticut corporation,

Defendants.

Case No.: 2:18-cv-00718-JLR

**SECOND STIPULATED MOTION TO
CONTINUE TRIAL AND ORDER**

I. STIPULATION

COMES NOW DEFENDANT ASSA ABLOY ENTRANCE SYSTEMS US INC., through their attorney, R. Scott Fallon, PLAINTIFF MARGORIE OGLIVE, through her attorney, Steven G. Phillips, and DEFENDANT THRIFTY PAYLESS INC. through their attorney John R. Barhoum and stipulate and request to continue trial, discovery deadlines, and motion deadlines in this matter currently set for trial October 15-17, 2019.

1. Upon review of the Jewish calendar, Mr. Phillips became aware that he will not be available on October 15, 2019, the first day scheduled for trial, for religious reasons.

2. On June 14, 2019, Plaintiff filed a Stipulated Motion to Continue Trial and Order, requesting a new trial date of July 14-16, 2020.

3. On June 25, 2019, the Court issued an Order denying the parties' Stipulated Motion and instructing "[T]he court will consider moving the parties' trial date to the end of the court's

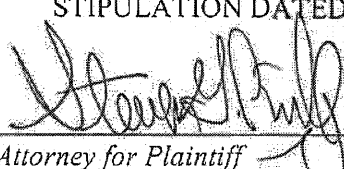
1 trial calendar. If the parties wish to seek this relief, they should file a new stipulated motion to
2 that effect. The parties should be aware that the court is presently scheduling trials in mid-to-late
3 fall of 2020. If the court moves this matter to the end of its trial calendar, the court will also
4 issue a new scheduling order with respect to all remaining pretrial deadlines." Dkt. No. 35.

5 4. Accordingly, Defendants and Plaintiff are filing a new Motion and have agreed to
6 continue the trial and amend the trial schedule accordingly for and deadlines that have not
7 already passed as of the date of the filing of this Motion.

8 5. The parties request a three-day trial date in September or October 2020. The parties
9 are unavailable September 19, 20, and 28, as well as October 3, 4, 10, and 11 2020 but are
10 available for trial on any other dates in October or September 2020.

11 WHEREFORE Defendants and Plaintiff request that the Court continue the trial in this
12 matter to a date in the fall of 2020 that is convenient for the Court's schedule and amend the trial
13 schedule accordingly.


14 STIPULATION DATED this 27th day of June 2019.

15 
16 Attorney for Plaintiff

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15 
16 Attorney for Defendant Thrifty Payless

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20 Portland, OR 97204

21  EDENE E. GOLDMAN
22 for #54131

23 Attorney for Defendant Assa Abloy Entrance
24 Systems US Inc.

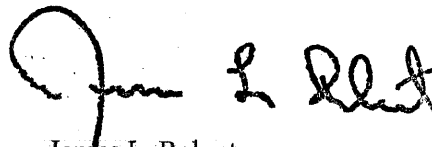
25 R. Scott Fallon, WSBA #2574
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ORDER

THIS MATTER having come before the Court on the stipulated motion of Defendants and Plaintiff to continue the trial in this matter to fall 2020, the Court being fully appraised after reviewing the record and finding the motion to in the order, NOW THEREFORE

IT IS HEREBY ORDERED that the trial in this matter be continued to November 9, 2020 and the trial schedule amended accordingly.

SIGNED THIS 28th day of June, 2019.



James L. Robart
United States District Judge